

**Z-1-2009**

**John Duddleston**

**2481 South 7200 West**

**A to M**

**0.37 acres**

John Duddleston is requesting a zone change for 16.1 acres of a 0.37 acre parcel at 2481 South 7200 West from A (agriculture) to M (manufacturing). Surrounding zones include A to the north and south, M to the east, and A-1 (agriculture) to the west in Magna. Surrounding land uses include single family homes to the north and south and vacant land to the east and west. The subject property and the property to the north, south and east are designated as light manufacturing in the West Valley City General Plan. The subject property is vacant.

If this rezone is approved, the applicant intends to develop the property as a drive-thru coffee business. A conceptual plan of the coffee business is attached. Also attached is a letter from Kirk Cameron, the property owner, describing the proposed business and why he believes it should be approved.

Any development within the M Zone that shares a common boundary with existing or proposed residential uses is processed as a conditional use. If this rezone is approved, the following issues should be addressed as part of the conditional use: whether or not a masonry wall will be required along the north property line and compliance with the commercial design standards.

In Mr. Cameron's letter he mentions traffic along 7200 West as one of the reasons for commercial use. In 2007, average annual daily traffic along 7200 West between 3500 South and Highway 201 was 11,490. For means of comparison, 2007 traffic along 3500 South ranged from 16,115 on the west end of the City to 51,835 near I-215.

While there is no minimum lot size for the M Zone, the C-2 (general commercial) Zone requires a minimum lot size of 20,000 square feet. The subject property is 16,170 square feet in area and is 70' wide which is small and narrow for a commercial property.

**Staff Alternatives:**

- Approval of the zone change as commercial use is anticipated with light industrial.
- Continuance to address issues raised during the public hearing.
- Denial, the property is too small for commercial use and is adjacent to two homes.

**Applicant:**

John Duddleston  
1178 W. 13040 S.  
Riverton, UT 84065

**Favored:**

Fidel Zisamoo  
7141 Gates Ave.  
WVC, UT

**Discussion:** Steve Pastorik presented the application. Terri Mills questioned if housing is permitted in a manufacturing zone. Steve replied that it would be considered non-conforming and added that the situation was inherited from Salt Lake

County. Jack Matheson questioned if a masonry wall is required next to a residential property. Steve replied yes but explained that if commercial use is planned in the future, another type of screening can be determined by the Planning Commission. Harold Woodruff asked if the remaining property on the corner is big enough to do something like a convenience store. Steve stated that he isn't sure of convenience store requirements but the property is about 150' along 7200 West and 250' going east and west. This roughly equals to a little over  $\frac{3}{4}$  of an acre.

Brent Fuller questioned if the applicant owns the small piece on the corner. John Duddleston, the applicant, replied that he is the contractor. Jason questioned how much of the split zoned lot is dedicated to residential use. Steve replied that the owner would need to rezone the other half of the property if they wanted to do anything industrial or commercial on the lot. He indicated that the manufacturing zone is about 66 feet of the property and the agriculture zone is about 82 feet. Terri Mills commented that she is concerned with the small size of the property as well as spot zoning. She stated that she feels rezoning the neighboring lots would make the area more useable. She added that she doesn't feel now is the appropriate time for rezoning because there is nothing else out there. Phil Conder replied that he doesn't believe the same owner owns the property and it doesn't make sense for the property to be unused until an agreement is made. Harold Woodruff stated that he would feel better if the whole corner was a bigger building and business.

Fidel Zisamoo, a neighbor to the property, made complaints about the corner house and its poor visual appearance. He stated that the entire area has become very run down and having a coffee shop will be a positive addition to the community. Mr. Duddleston added that the property owner to the north plans to develop his property into a retail use as well but is waiting until the area becomes more developed. Phil Conder asked if there have been any discussions to work together on a single project. John stated that discussions were held years ago but he can't speak for either property owner on any possibilities. Commissioner Matheson commented that he believes this will serve a useful purpose and is a start to improve the community.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval of the zone change as commercial use is anticipated with light industrial.

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	No
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

**Majority -Z-1-2009– Approved**